



Supreme Court - Middle Division
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Nashville, TN 37203

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U.S. BANKRUPTCY COURT
MIDDLE DISTRICT OF TN.

Date Printed: 10/22/2008
Notice Date: 10/22/2008
Case Style: In Re: Milburn Hogue and Melanie Hogue
Case Number: M2008-01700-SC-R23-CQ
Action: Date Filed: 10/22/2008 COURT ORDER FILED: Related to Rule 23 Certified Question of Law: Accepting Cert. Ques. & Setting Case for Argument ::
Trial Court: U.S. Bankruptcy Court, Middle District **Trial Court Number:** 08-2558-GP1-13

The Appellate Court Clerk's Office has entered the above action in the Justice Information Tracking System.

It is Ordered that the Court accepts certification of the following question of law: The state law issues presented here are whether TCA 26-2-301(f)(2007) together with the rest of TCA 26-2-301: (1) grants an enhanced homestead exemption of \$50,000 to husband and wife debtors having dependent minor children and filing for bankruptcy jointly; (2) grants a single enhanced homestead exemption of \$25,000 to these joint debtors; or (3) grants an enhanced \$25,000 homestead exemption only to non-married individuals with dependent minor children. This Court desires to have oral argument by the parties. The Clerk is directed to place this matter on the docket for oral argument.

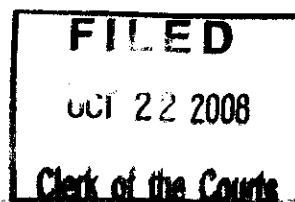
SFV

C: Henry E. Hildebrand, III
Steven Lee Lefkowitz

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

MILBURN LAFAYETTE HOGUE AND MELANIE STARR HOGUE,
DEBTORS; HENRY E. HILDEBRAND, III, TRUSTEE v. MILBURN
LAFAYETTE HOGUE AND MELANIE STARR HOGUE

Rule 23 Certified Question of Law
from the United States District Court
for the Middle District of Tennessee
No. 08-02558-GP1-13



No. M2008-01700-SC-R23-CQ

ORDER

Pursuant to Tennessee Supreme Court Rule 23, a certification order was filed in this Court on August 4, 2008, by the United States District Court for the Middle District of Tennessee. Briefs have now been filed pursuant to Section 7, and, upon consideration of the certification order and the briefs filed by the parties, this Court accepts certification of the following question of law:

The state law issues presented here are whether T.C.A. § 26-2-301(f) (2007) together with the rest of T.C.A. § 26-2-301: (1) grants an enhanced homestead exemption of \$50,000 to husband and wife debtors having dependent minor children and filing for bankruptcy jointly; (2) grants a single enhanced homestead exemption of \$25,000 to these joint debtors; or (3) grants an enhanced \$25,000 homestead exemption only to non-married individuals with dependent minor children.

Pursuant to Rule 23, Section 7(B) of the Supreme Court Rules, this Court desires to have oral argument by the parties. The Clerk is directed to place this matter on the docket for oral argument.

PER CURIAM